

RANDY SUE POLLOCK
Attorney at Law (CSBN 64473)
2831 Telegraph Avenue
Oakland, CA 94609
San Francisco, CA 94109
Telephone: (510) 763-9967
Facsimile: (510) 272-0711

Attorney for Defendant
FAUSTINO AGUAYO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

—000—

UNITED STATES OF AMERICA,
Plaintiff,

CR. 05-118-MMC

vs.

**STIPULATION TO CONTINUE
STATUS CONFERENCE; ORDER
THEREON**

FAUSTINO AGUAYO, et al.,
Defendants.

Defendant FAUSTINO AGUAYO, by and through his counsel of record
Randy Sue Pollock, and Assistant U.S. Attorney David Hall hereby stipulate and agree
that the status conference presently set for Wednesday, March 21, 2007, at 2:30 p.m. be
continued until Wednesday, April 4, 2007, at 2:30 p.m.

Assistant U.S. Attorney Dave Hall has met with all counsel and negotiations are
still ongoing as to all defendants with the exception of Elmer Bonilla who does intend to
enter a plea of guilty on March 21st. As to the other defendants, a trial date may have to
be set however we would request an additional continuance in an attempt to resolve the
case.

1 The time period from March 21, 2007 to April 4, 2007 would be deemed
2 excludable pursuant to 18 U.S.C. Section 3161(h)(8)(A), given that the ends of justice
3 served by granting a continuance outweigh the best interests of the public and of the
4 defendant in a speedy trial. Additionally, pursuant to 18 U.S.C. Section
5 3161(h)(8)(B)(ii) given the nature of the prosecution, the volume of the evidence, the fact
6 that wiretaps were involved, it is unreasonable to expect adequate preparation for pretrial
7 proceedings and for the trial within the time limits established by the Speedy Trial Act.
8
9

10 Date: March 15, 2007

/s/ Randy Sue Pollock
RANDY SUE POLLOCK
Counsel for Defendant
FAUSTINO AGUAYO
On Behalf Of All Defendants

14 Date: March 15, 2007

/s/ David Hall
DAVID HALL
Assistant United States Attorney

18 SO ORDERED, with the exception that the matter shall remain on the March 21, 2007
19 calendar as to defendant Elmer Bonilla for change of plea.

21 Dated: March 16, 2007


MAXINE M. CHESNEY
United States District Court Judge